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The "Dirt" on the NCG01 Permit

December 4, 2018

Department of Environmental Quality



The "Dirt" on the NCG01 Permit

- 1. When does the new NCG01 go into effect?
- 2. What is changing? What is not?
- 3. What does the new NOI form look like?
- 4. What about already permitted construction

projects?

5. How can DEMLR help with the transition?

Department of Environmental Quality

When will it go into effect?

Apr 9 and 23: Stakeholder meetings held in Raleigh

Jun 15 - Jul 16: First draft permit out to public notice

Aug 1: DEMLR reissues the current NCG01 permit

Aug 3: Stakeholder meeting

Sep 4 - Oct 5: Second draft permit out to public notice

Sep 10: Meeting with delegated local governments re

implementation of the new NCG01

Dec 15: Third draft permit made available

Jan 1: Final permit goes into effect



What is changing? What is not?

It will NOT change the E&SC Plan requirements for construction projects in NC

Main goal: Better Organization!

State E&SC Plan requirements in the NCG01

More tables, less text

Application process



What is changing?

- New permit repeats state requirements and organizes them with federal requirements. (E&SC Plan requirements are in three separate places: SPCA (1973),15A NCAC 04B .0100 rules (1974) & NCG01 permit.)
- Going forward, NCG01 SWPP = E&SC Plan.
- Self-inspection, recordkeeping and reporting requirements have undergone a major reorganization. Organized into tables instead of the lengthy paragraphs that characterize the current version of the permit.



Current NCGO1 Implementation: No more!



- E&SC Plan must be approved by either the state or a local government with delegated authority.
- After the plan is approved, the project has automatic coverage under the NCG01, provided that the ground stabilization and basin design requirements in the stormwater permit are included in the E&SC Plan.



Why can't we keep doing that?

- EPA no longer allows us to extend "automatic permit coverage" to permittees.
- EPA now requires us to collect data (such as location, size, owner) on construction activities.
- Owners/operators of construction activities are not always aware of BOTH state and federal requirements.



NEW Implementation

- Review & approve E&SC Plans just like before. You can hold them to NCG01 standards or stick with the SPCA/Sediment Rules.
- 2. No more sending permittees the NCG01 Fact Sheet & Permit. Your approval letter will indicate that the need to submit the electronic NOI prior to commencing the construction activity.
- 3. After the construction is complete and site is permanently stabilized, close out their E&SC plan. Your close-out letter will indicate the need to submit an electronic NOI rescission form.

We will provide example language for you to use!



Help us achieve E&SC Plan = SWPP if possible

- Require E&SC Plans to meet NCG01 SWPPP requirements.
- Must use your own legal authority.

Do you HAVE to do this? NO!

As part of the NOI, applicants will certify that they will follow all conditions of the NCG01 permit.

MS4 permittees, this may change in the future.



Organization of Draft Permit

PART I NCG01 PERMIT COVERAGE

PART II STORMWATER POLLUTION PREVENTION PLAN

PART III SELF-INSPECTION, RECORDKEEPING & REPORTING

PART IV STANDARD CONDITIONS

PART V DEFINITIONS



Part II: Stormwater Pollution Prevention Plan (SWPPP)

- A. Required Components
- B. Design & Construction Standards
- C. Additional Standards for HQW Zones
- D. Construction Activity Buffers
- E. Ground Stabilization
- F. Materials Handling
- G. Operation & Maintenance



Not changing. . .

STABILIZATION TIMEFRAMES

(Effective Aug. 3, 2011)

| | SITE AREA DESCRIPTION | STABILIZATION | TIMEFRAME EXCEPTIONS |
|--|--|---------------|--|
| ST. | Perimeter dikes, swales, ditches, slopes | 7 days | None |
| THE PROPERTY OF THE PARTY OF TH | High Quality Water (HQW) Zones | 7 days | None |
| | Slopes steeper than 3:1 | 7 days | If slopes are 10' or less in length and are not steeper than 2:1, 14 days are allowed. |
| | Slopes 3:1 or flatter | 14 days | 7 days for slopes greater than 50' in length. |
| | All other areas with slopes flatter than 4:1 | 14 days | None, except for perimeters and HQW Zones. |

E&SC Plans approved by local governments should comply with these standards.

Self-Inspection, Record-keeping & Reporting: Not changing but better organized



Section A: Self-Inspection

Section B: Recordkeeping

- 1. E&SC Plan Documentation
- 2. Additional Documentation

Section C: Reporting

- 1. Occurrences that Must be Reported
- 2. Reporting Timeframes and Other Requirements



What does the electronic NOI look like?



Construction Stormwater: Notice of Intent (NOI)

National Pollutant Discharge Elimination System (NPDES) application for coverage under North Carolina's General Permit NCG010000: STORMWATER DISCHARGES associated with construction activities (or NCG250000)

| A. Project In | formation |
|---------------|-----------|
|---------------|-----------|

B. Permittee Information

C. Site Contact information

D. E&SC Plan

E. Certification

| Part A. | | \bigcirc |
|-------------------------------|--|------------|
| Project Location and Waterb | ody Information | |
| 1. Project Name * | | |
| 2. County * | | |
| 3. Highway or Street Address* | Street name only is acceptable if no address number assigned yet | |
| 4. City or Township * | | |
| 5. State * | | |
| 6. Zip Code* | | |
| 7. Latitude * | Enter the latitude in decimal degrees | |
| 8. Longitude * | Enter the longitude in decimal degrees (MUST be negative) | |

If you do not know the latitude and longitude coordinates for this project, you can search the location on this map of North Carolina. Look for the coordinates in the **bottom left corner**.



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A. Project Information

B. Permittee Information

C. Site Contact information

D. E&SC Plan

E. Certification

| Part D. Erosion & Sediment Control | (E&SC) Plan Approval Information |
|--|---|
| 1. Date E&SC Plan Approved * | |
| 2. E&SC Plan Project Number/ID * | Assigned by agency or local program |
| 3. E&SC Plan Approved by * | ○ State DEQ Office○ Local Program |
| 4. State DEQ Office * | |
| 4. Local Program * | ✓ |
| | SC Plan approval is required for a complete application. In addition, the signed and notarized ity/Ownership Form (FRO) must be provided. |
| 5. E&SC Plan Approval letter/documentation * | Upload Must be PDF format |
| 6. Signed/Notarized | Upload |



Construction Stormwater: Notice of Intent (NOI)

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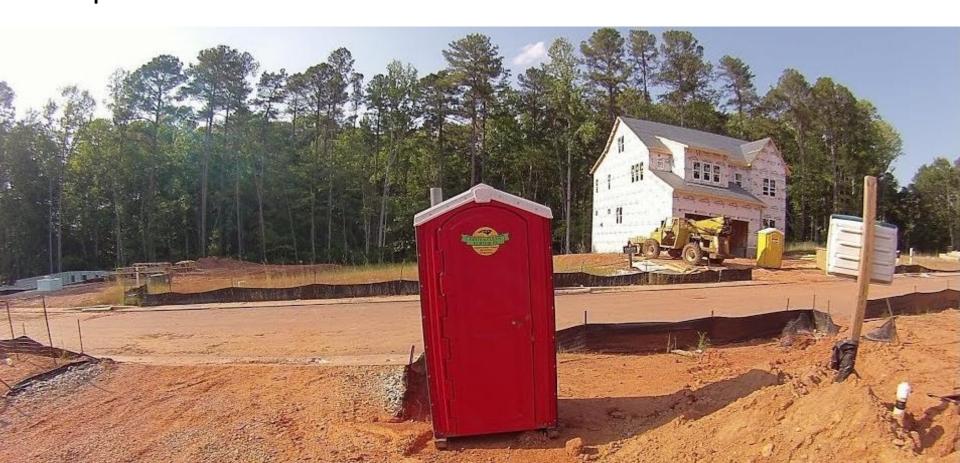
I certify that:

| I am the person responsible for the construction activities of this project, for satisfying the requirements of this permit, and for any civil or criminal penalties incurred due to violations of this permit. |
|--|
| The information submitted in this NOI is, to the best of my knowledge and belief, true, accurate, and complete based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information. |
| I will abide by all conditions of the NCG010000 General Permit and the approved Erosion and Sediment Control Plan. |
| If the Erosion and Sediment Control Plan approved by the delegated program is not compliant with Part II (Stormwater Pollution Prevention Plan) of the NCG010000 General Permit, I will nonetheless ensure that all conditions of Part II of the permit are met on the project at all times. |

What about already permitted projects?



Active projects permitted prior to December 31, 2018 will be covered under the **old permit** and will not be required to submit an electronic NOI.



How can DEMLR help with the transition?

Contact Information

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Questions?



